THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.NO. 15518 OF 2006
Dated:26-07-2006

Between:
T.Narendra Chowdary and another

Petitioners

And

The Commissioner,
Municipal Corporation of Hyderabad,

Respondent

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.NO. 15518 OF 2006

ORDER:

1. Heard both the counsel.

2. The writ petition is filed for Writ of Certiorari to declare the notice dated 25-07-2006 issued by the respondent under Section 636 of the Hyderabad Municipal Corporation Act,1955 as the same is illegal, arbitrary, unconstitutional, void and against the principles of natural justice, unwarranted and unreasonable and consequently set-aside the same and pass such other suitable orders.

3. Several factual details had been narrated. It is not in controversy that without issuing any show cause and without giving any opportunity, straight away the impugned order is made and the time given also is only 24 hours. It is needless to say that the same is unreasonable.

4. In the light of the same, the impugned order is hereby set-aside and however, the same to be treated as show cause notice and the petitioners are at liberty to file objections within a period of two weeks and the respondent to consider the objections and pass appropriate orders in relation thereto and till the appropriate orders are made, not to carry out any demolition in relation to the subject matter of the writ petition.

5. Accordingly, the writ petition is disposed of. No order as to costs.

26-07-2006

Stp